

2 **SSB 5668** - H COMM AMD **NOT ADOPTED 4-15-97**
3 By Committee on Trade & Economic Development

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5 Strike everything after the enacting clause and insert the
6 following:

7 NEW SECTION. **Sec. 1.** The legislature finds that the shortage of
8 temporary worker housing is due in part to inappropriate construction
9 requirements for temporary worker shelter and related facilities. It
10 is the intent of the legislature that temporary worker housing
11 developers, including employers, be provided with a regulatory
12 framework that allows shelter to be provided that meets the basic
13 dignity, comfort, common decency, health, and safety needs of workers.
14 It is the intent of chapter . . . , Laws of 1997 (this act) to provide
15 a temporary worker housing building code that will encourage private
16 development of temporary worker housing, and will accommodate a wide
17 range of building materials and new and innovative construction formats
18 that are not possible under previously applicable codes.

19 NEW SECTION. **Sec. 2.** A new section is added to chapter 19.27 RCW
20 to read as follows:

21 Temporary worker housing shall be constructed, altered, or repaired
22 as provided in chapter 70.114A RCW. The construction, alteration, or
23 repair of temporary worker housing is not subject to the codes adopted
24 under RCW 19.27.031, except as provided in any code adopted under
25 chapter 70.114A RCW. For the purposes of this section "temporary
26 worker housing" means a shelter, place, area, or piece of land where
27 sleeping places or housing sites are provided by an employer for his or
28 her employees for temporary seasonal occupancy, not to exceed six
29 months in a twelve-month period, at the employees' worksite, and
30 includes labor camps under RCW 70.54.110. The term "temporary worker
31 housing" does not include tents and tent platforms.

32 **Sec. 3.** RCW 70.114A.080 and 1995 c 220 s 8 are each amended to
33 read as follows:

1 (~~By December 1, 1996,~~) The state building code council shall
2 ~~((develop))~~ adopt by rule under chapter 34.05 RCW a temporary worker
3 ~~((housing))~~ building code, in conformance with the temporary worker
4 housing standards developed under the Washington industrial safety and
5 health act, chapter 49.17 RCW, the rules adopted by the state board of
6 health under RCW 70.54.110, and the following guidelines:

7 (1) The code shall provide construction standards for shelter and
8 associated facilities that are safe, secure, and capable of
9 withstanding the stresses and loads associated with their designated
10 use, and to which they are likely to be subjected by the elements.

11 (2) The code shall permit and facilitate designs and formats that
12 allow for maximum affordability, consistent with the provision of
13 decent, safe, and sanitary housing.

14 (3) In developing the code the council shall consider: (a) The
15 need for dormitory type housing for groups of unrelated individuals;
16 and (b) the need for housing to accommodate families.

17 (4) The code shall include construction standards for ~~((a variety~~
18 ~~of formats, including, but not limited to))~~: (a) ~~((Tents and tent~~
19 ~~platforms))~~ Straw bale exterior wall structures; and (b) hard-shell,
20 single exterior wall structures.

21 (5) The code shall include standards for temporary worker housing
22 that is to be used only during periods when no auxiliary heat is
23 required.

24 In ~~((developing))~~ adopting the temporary worker ~~((housing))~~
25 building code, it is the intent of the legislature that the building
26 code council make exceptions to the codes listed in RCW 19.27.031, and
27 chapter 19.27A RCW, in keeping with the guidelines set forth in this
28 section.

29 ~~((The building code council shall appoint a technical advisory~~
30 ~~committee to assist in the development of the temporary worker housing~~
31 ~~code, which shall include representatives of industries that most~~
32 ~~frequently supply temporary housing to their employees.))~~ It is also
33 the intent of the legislature that the state building code council take
34 into consideration the guidelines developed by the technical advisory
35 committee for the development of the initial temporary worker building
36 code adopted by the state building code council under section 8,
37 chapter 220, Laws of 1995, and presented to the legislature on December
38 1, 1996. The state building code council shall consider additional
39 input from all interested parties, including seasonal agricultural

1 workers, before adopting the temporary worker building code under this
2 section.

3 The temporary worker building code authorized and required by this
4 section shall be enforced by the department.

5 **Sec. 4.** RCW 43.70.340 and 1990 c 253 s 3 are each amended to read
6 as follows:

7 (1) The farmworker housing inspection fund is established in the
8 custody of the state treasury. The department of health shall deposit
9 all funds received under subsection (2) of this section and from the
10 legislature to administer a labor camp inspection program conducted by
11 the department of health. Disbursement from the fund shall be on
12 authorization of the secretary of health or the secretary's designee.
13 The fund is subject to the allotment procedure provided under chapter
14 43.88 RCW, but no appropriation is required for disbursements.

15 (2) There is imposed a fee on each operating license issued by the
16 department of health to every operator of a labor camp that is
17 regulated by the state board of health. The fee paid under this
18 subsection shall include all necessary inspection of the units to
19 ensure compliance with applicable state board of health rules on labor
20 camps.

21 (a) Fifty dollars shall be charged for each labor camp containing
22 six or less units.

23 (b) Seventy-five dollars shall be charged for each labor camp
24 containing more than six units.

25 (3) The term of the operating license and the application
26 procedures shall be established, by rule, by the department of health.

27 (4) The department of health shall establish a building permit fee
28 schedule for temporary worker housing subject to chapter 70.114A RCW.
29 The department of health shall develop rules to establish a fee
30 schedule sufficient to cover the cost of all necessary plan reviews and
31 on-site construction inspections of the temporary worker housing to
32 ensure compliance with the codes developed under RCW 70.114A.080."

33 **EFFECT:** Specifies that tents and tent platforms are not covered
34 under temporary worker building code. Limits temporary housing
35 construction standards to straw bale and hard-shell single exterior
36 wall structures. Instructs the state building code council to adopt

1 and maintain the temporary worker building code. The department of
2 health is still responsible for enforcement.

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